S.B.Cr.Misc. Bail App. No.6003/2007

Ahmed Jamal @ Taleshwar Khan @ Maa Ka @ Mang Bhai
Vs.
State of Rajasthan

Date of order : December 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Sandeep Mehta, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned as well as the challan papers. I have gone through the statements of the witnesses recorded by the trial court.

It is contended by the learned counsel for the petitioner that similarly situated co-accused Abdul Khan, Akram Khan, Amjad Khan alias Ifran Khan Pathan and Ahmed Noor have been granted bail by this Court vide order dt. 15.11.2007 and the eye-witness PW.1 Kalu, who is the author of the first information and PW.2 Raju did not support the prosecution case and turned hostile.

On careful perusal of the statement of PW.1 Kalu and PW.2 Raju, it appears that they have not supported the prosecution case and turned hostile.

Having regard to the facts and circumstances of the case and the fact that similarly situated co-accused have been granted bail and eye-witness PW.1 Kalu, who is author of the first information and PW.2 Raju have turned hostile and did not support the prosecution case, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Ahmed Jamal @ Taleshwar Khan @ Maa Ka @ Mang Bhai s/o Sejman Khan be released on bail in FIR No.60/007,, P.S. Dungla, Distt Chittorgarh provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-